

Remarks

This Request for Continued Examination is in reply to the Office Action mailed July 10, 2008, and a telephone interview with the Examiner on October 9, 2008.

Applicants acknowledge with thanks Examiner Hashem's assistance in granting a telephone interview with Thomas Plunkett on October 9, 2008, during the course of which interview the participants generally discussed the claimed embodiments. Examiner Hashem indicated that further consideration of the application would follow upon receipt of this Reply.

I. Summary of Examiner's Rejections

Claims 19-22 were pending in the Application prior to the Office Action mailed July 10, 2008. In the Office Action, claims 19-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,594,503 to Herzig et al. (hereinafter Herzig) in view of U.S. Patent No. 6,330,244 to Swartz et al. (hereinafter Swartz).

II. Summary of Applicants' Response

This Request for Continued Examination amends claim 19-20 and adds new claims 47-53, leaving for the Examiner's present consideration claims 19-22 and 47-53. Reconsideration of the rejections is requested.

III. Response to Rejections

Claim 19

Claim 19 (as amended) defines:

A system, comprising:

- (a) a multi-channel mobile telephone, wherein the multi-channel mobile telephone supports a plurality of input channels;
- (b) a processing device for storing an internal representation of a phrase element which can be predefined, recorded as needed, or synthetically generated on demand; and,
- (c) a scanning device, ~~coupled with the processing device,~~ for reading a first code associated with the phrase element and for reading a second code associated with a first channel ~~at least one~~ of the plurality of ~~input~~ channels; [[,]]

wherein the processing device transforms a user's silent input selection of the first code associated with the phrase element into ~~initiates to provide~~ an audible output utterance only over the first channel associated with said second code while enabling the user to communicate a second audible output utterance over a second channel of the plurality of channels with no audible feedback into the first channel; ~~communicating over another channel and being capable of receiving an audible input over the channel.~~

wherein audible input from the first channel is mixed with audible input from the second channel, or a graphic representation of audio input on the first channel is visually displayed to the user while audio input on the second channel is communicated audibly to the user.

In the Office Action, claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Herzig in view of Swartz. Rosenthal (U.S. Patent No. 5,764,748) was discussed in previous Office Actions, and will also be discussed herein.

Herzig teaches a communication device with dial function using optical character recognition. A communication device, such as a cellular mobile phone or a cordless phone, has a dial unit for communication with a base station. An input device for dialing a phone number which forwards a coded dial signal to the dial unit is implemented as an optical character recognition (OCR) scanner that reads phone numbers from a printed or hand-written original. Optionally, especially for recognizing hand-writing, the scanner sends graphical representations of input data to the base station that obtains the code dial signals by an external processor. (Abstract).

Swartz teaches a system for digital radio communication between a wireless LAN and a PBX. Swartz describes a wireless local area network for digital radio communication between remote devices and a PBX telephone system, wherein the remote devices can access and use the voice message features in the PBX and the databases on a host computer and servers. A wireless phone is provided for voice and data communication through the PBX or a CO telephone line with remote locations or the Internet using digital data packets and standard Internet Protocol. In a preferred embodiment of the invention, the remote device is a cash register comprising a bar code scanner and a phone. Radio communication between the register and a host computer is

carried out over two channels, a first channel for data communication and a second channel for voice communication. (Abstract).

Rosenthal teaches advanced call waiting processing. An enhanced call waiting (ECW) feature is provided by a switch serving a called subscriber who, while still on the first telephone call, receives a subsequent telephone call. According to ECW, the switch provides service so that the called party may select from processing treatments for the second call which, in addition to the conventional processing of a) placing the first telephone call on hold and answering the second telephone call request, or b) simply declining the subsequent telephone call request, include treatments such as: 1) declining acceptance of the subsequent telephone call request but signaling the subsequent telephone call originator, via a message, to call again at a predetermined time or at the end of a specified period of time; and 2) declining acceptance of the subsequent telephone call request and signaling the subsequent telephone call originator, via a message, that the called subscriber will return the call at a predetermined time or at the end of a specified period of time. (Abstract).

In the Office Action, it was asserted that the combination of Herzig and Swartz taught Claim 19. Claim 19 has been amended to define wherein audible input from the first channel is mixed with audible input from the second channel, or a graphic representation of audio input on the first channel is visually displayed to the user while audio input on the second channel is communicated audibly to the user. The combination of Herzig and Swartz does not appear to disclose that audible input from the first channel is mixed with audible input from the second channel, or a graphic representation of audio input on the first channel is visually displayed to the user while audio input on the second channel is communicated audibly to the user. Rosenthal does not cure the deficiency of Herzig and Swartz.

Furthermore, Claim 19 has been amended to define wherein the processing device transforms a user's silent input selection of the first code associated with the phrase element into an audible output utterance only over the first channel associated with said second code while enabling the user to verbally communicate a second audible output utterance over a second channel of the plurality of channels with no audible feedback into the first channel. The combination of Herzig and Swartz does not appear to disclose that the processing device transforms a user's silent input selection of the first code associated with the phrase element into an audible output utterance only over the first channel associated with said second code while

enabling the user to verbally communicate a second audible output utterance over a second channel of the plurality of channels with no audible feedback into the first channel.

In view of the comments provided above, Applicants respectfully submit that the embodiment defined by claim 19, as amended, is neither anticipated by, nor obvious in view of the cited references, when considered alone or in combination, and reconsideration thereof is respectfully requested.

Claims 20-22 and 47-53

Claims 20-22 and 47-53 depend from and include all of the features of claim 19. Claims 20-22 and 47-53 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the amendments to the independent claims, and the comments provided above. Reconsideration thereof is respectfully requested.

IV. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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